

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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Terri Gartman,

Plaintiff,

Civil Action No.: 2:14-cv-02442-CAS-MRW

-against-

ARM WNY, LLC,

Defendant.

-----X

To: **TERRY NAFISI, CLERK**
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division)

REQUEST FOR CLERK'S CERTIFICATE OF DEFAULT

In accordance with Fed. R. Civ. P. 55(a), I request that a Clerk's Certificate of Default be entered against the Defendant ARM WNY, LLC, for failure to plead or otherwise defend in this action as it fully appears from the court file herein and from the affirmation of Diane C.

McDowell, Esq., sworn on January 29, 2015, of Fredrick Schulman & Associates, attorneys for Plaintiff Terri Gartman.

Date: New York, New York
January 29, 2015

By: /s/ Diane C. McDowell
Diane C. McDowell
Attorneys for Plaintiff
Fredrick Schulman & Associates
30 East 29th Street
New York, New York 10016
Telephone: (212) 796-6053
Fax: (212) 951-7379
Email: info@fschulmanlaw.com

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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Terri Gartman,

Civil Action No.: 2:14-cv-02442-CAS-MRW

Plaintiff,

-against-

ARM WNY, LLC,

Defendant.

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**AFFIRMATION IN SUPPORT OF REQUEST
FOR CLERK'S CERTIFICATE OF DEFAULT**

Diane C. McDowell, being duly sworn, deposes and says:

1. I am an attorney with the law firm Fredrick Schulman & Associates, attorneys for the Plaintiff Terri Gartman, and am fully familiar with the facts and circumstances stated herein.
2. This action was commenced pursuant to 15. U.S.C. §1692 et. seq. on April 1, 2014 by the filing of a Summons and Complaint.
3. Defendant ARM WNY, LLC was served with a copy of the Summons and Complaint on April 14, 2014, at Defendant's New York address on an individual authorized to accept service.
4. The affidavit of service was duly filed with the Court on May 1, 2014.
5. The time for the Defendant to answer, respond or otherwise move with respect to the Complaint herein has expired and, the time to answer or respond has not been extended.
6. Plaintiff alleges that Defendant ARM WNY, LLC is indebted to the Plaintiff based, *inter alia*, on a violation of the Fair Debt Collection Practices Act, 15 U.S.C. §1692 et. seq. (the "Act"). The Act provides for an award of statutory damages up to \$1,000.00 along with an award of reasonable attorneys' fees and costs.

WHEREFORE, Plaintiff Terri Gartman respectfully requests that the Clerk note the default of Defendant ARM WNY, LLC, and issue a Certificate of Default.

Dated: New York, New York
January 29, 2015

By: /s/ Diane C. McDowell
Diane C. McDowell
Attorneys for Plaintiff
Fredrick Schulman & Associates
30 East 29th Street
New York, New York 10016
Telephone: (212) 796-6053
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I, TERRY NAFISI, Clerk of the United States District Court for the Central District of California (Western Division), do hereby certify that the Defendant ARM WNY, LLC has not filed an Answer or otherwise moved with respect to the Complaint herein. The default of the Defendant ARM WNY, LLC, is hereby noted pursuant to Fed. R. Civ. P. 55(a).

Dated: Los Angeles, California
_____, 20__

TERRY NAFISI
Clerk of the Court

By:_____
Deputy Clerk